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It may be remarked, in passing, however, that in tracing the origin and history of admiralty law, the author states that "the voyage of the Argonauts, the Trojan Expedition, the wanderings of Odysseus, though military in the songs of Homer, were probably as much for exploration as for conquest." This seems calculated to jar, and almost unnecessarily, the preconceived notions of chivalry and romance of many who have not been favored with access to the authorities with which this author, doubtless, is familiar, but which he does not quote.

STUDIES IN HISTORY AND JURISPRUDENCE. By James Bryce. New York: Oxford University Press. xxiii, 926.

This is a book to be welcomed equally by the student of political institutions and by the lawyer who interests himself in the philosophy and history of the law. It contains sixteen essays, in which the comparative and historical methods are applied to various topics of public and private law. Mr. Bryce informs us in the preface that some of the essays are based upon public discourses in which, while Regius Professor of Civil Law at Oxford, he dealt with "the wider and less technical aspects of his subject." And while a portion of the book may have been written at a later date, the volume generally may be regarded as the product of Mr. Bryce's activity during the period, from 1870 to 1893, when he occupied the Oxford chair of civil law. The name of the author is itself a sufficient guarantee of value in point of substance and of attractiveness in style and manner of presentation. There is probably no other person living who unites qualifications so various. To his distinguished attainments as historian and scholar and to his familiarity with both Roman and English law, Mr. Bryce adds practical experience at the bar, in Parliament and in public office, and a very exceptional knowledge, derived largely from personal observation and inquiry, of the political institutions of almost all the peoples of our own time.

As the title indicates, the book is rather a collection of studies than a systematic treatise. A number of the essays deal with public or constitutional law. In one, for example, a comparative study is made of the two types of constitutions, distinguished by Mr. Bryce as "flexible" (or common-law) and "rigid" (or statutory). In another, the action of centripetal and centrifugal forces on political constitutions is examined. Several essays deal with particular constitutions, such as those of the South African republics (prior to the war of 1899), and that of the new Australian commonwealth. One essay sketches the early political and legal institutions of Iceland. For the student of legal history Iceland affords material of exceptional interest. In Essay I the Roman empire and the British empire in India are compared and contrasted in respect to the mode of development and characteristics of each. A similar comparison between Rome and England in respect to their legal history, in different aspects, is, as will presently be noted, a prominent feature of the book and is clearly and instructively worked out.

The two essays dealing respectively with the nature of the habit of political obedience and with the idea of sovereignty are perhaps

to be classified rather under general political science than under jurisprudence. Other essays discuss topics of general jurisprudence. Those who have read the recent articles of Sir Frederick Pollock on the Law of Nature in this *REVIEW* will be interested in the essay in which Mr. Bryce deals with the same subject, tracing the history of the idea. The essay on the relations of law and religion, referring to the institutions of Mohammedan lands as the most conspicuous example of a system in which they are identified, includes an interesting account of the Mohammedan university of Cairo, and indicates the many points of close resemblance between that institution and the mediæval universities of Europe.

In another essay the methods of legal science are discussed. We are reminded that the Roman jurists, though preeminent for the scientific quality of their spirit and methods, devoted very little attention to the theory or philosophy of the law. Little value is placed by Mr. Bryce upon the metaphysical or abstract treatment of jurisprudence exemplified more particularly by certain German writers. Especially instructive is the fourteenth essay, a comparative study of the methods by which the Roman and the English systems of law were respectively developed, through the action of jurists and magistrates as well as by direct legislation. In the following essay the legal development at Rome and in England is further considered with reference to the historical influences that determined it and to the phases through which it passed. Essay II compares the extension of Roman and of English law through the world. In the final essay an interesting review is made of the history of marriage and divorce in Roman and in English law; and the examination is extended to other countries. Of marked interest are the two appended papers—the inaugural lecture delivered by Mr. Bryce in 1871, upon assuming the professorship of civil law at Oxford, and the valedictory lecture, delivered when he resigned that chair in 1893. It is a fact not without historical significance that, while the study of the civil law at Oxford dates back to the twelfth century, no instruction in the common law was provided there until 1756. The study of Roman law in England is the chief subject of each of these two lectures; Mr. Bryce emphasizes its educational value, even for the English law student. He reaffirms in 1893 the conviction expressed by him in his inaugural address, that a student, who has devoted his first year to the study of Roman law and the second and third to the study of English law, will have acquired a more thorough knowledge of English law than one of equal ability who has devoted the whole three years to the study of English law alone. The question suggests itself whether we may not, before many years, see the authorities of our own institutions of legal learning more generally introducing the study of Roman law into the curriculum.

INTERNATIONAL LAW. By George Grafton Wilson and George Fox Tucker. New York, Boston, Chicago: Silver, Burdett & Co. 1901. pp. xxiii, 459.

Since the publication of the last edition of Dr. Woolsey's *In-*